

**CITY OF EDGEWOOD
COUNCIL MEETING MINUTES
May 15, 2006
6:34 PM**

CALL TO ORDER – Mayor Link called the meeting of the Edgewood City Council to order at 6:34 PM in council chambers of the Edgewood City Building. The following council members were present: Nancy Atkinson, Bill Grady, Dale Henson, Jeff Schreiver, Mark Steffen and Ray Spears. Also in attendance were City Administrator Roger Rolfes, Sr. Deputy Clerk Mary Jane Lucas, and City Attorney Frank Wichmann. Councilman Scott Guenther was absent.

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA – Mr. Rolfes added Executive Session per KRS 61.810 (C) Discussion of proposed or pending litigation; Mr. Grady added item #20 Police Personnel; Mr. Henson added item # 22 Sanitation Collection.

APPROVAL OF MINUTES – Mrs. Atkinson made a **motion** to approve the May 1, 2006 minutes as written; seconded by Mr. Steffen. Mr. Henson abstained. **Motion passed: 5 ayes – 0 nays - 1 abstention**

REPORTS/PRESENTATIONS

Presentation of Proclamation # 2006-06 – Mayor Link read and presented Proclamation #2006-06 to the St. Elizabeth Nursing Program staff recognizing St. Elizabeth South for achieving the Magnet Recognition Program. Jane Swain, Vice President of the St. Elizabeth Nursing Program shared the background on the standards that must be achieved to receive the Magnet status, which is the highest honor that can be achieved. St. Elizabeth is the only hospital in the Greater Cincinnati area to have achieved this recognition. May 16th was proclaimed Nurses Day within the City of Edgewood.

Mayors Report – None

Administrator's Report – The zone change request at KY 17, bottom of Dudley, passed 18-0 and was approved by the Planning Commission. This included a bank, gas station, and 2 fast food restaurants. Discussion was held on the traffic pattern changes and a full curb cut pending the development of the Michaels property. Mr. Rolfes stated that all the information would be in the official minutes, which he had not yet received.

CITIZENS DESIRING RECOGNITION ON LEGISLATIVE MATTERS NOT ON THE AGENDA

None

UNFINISHED BUSINESS

Facilities Update – Mr. Rolfes stated that Pilot is still working on the punch list items and he hoped to have the final inspection by the end of the week to obtain our permanent certificate of occupancy.

Dixie Fix update – Mr. Rolfes attended the public meeting for the Dixie Fix program on Thursday, May 11. He stated that the 62 people who attended were shown the cities identified on the entire corridor, and could select the most important projects. It was announced that the KY Transportation Cabinet was interested in getting 2 of the projects underway and the Dixie /Dudley item is still the #1 project and eligible for state funding, a 80/20 proposition. Mr. Rolfes stated that this is a long project and must go through the TIP (Transportation Improvement Plan) at O.K.I and included in the 6-year plan. Mr. Rolfes stated they are also trying to tie in the Summit Drive revisions but have no commitments. He said they would eventually come back with a sample ordinance to adopt our zoning regulations and presentations will be presentation to OKI Board in June. Mr. Rolfes stated that the project entailed everything relevant to Dudley; discussion was held concerning expansion and turning lanes.

Police Department Personnel – Mr. Grady addressed the current 2006-2007 year budget, and the average total personnel services for the 12 police officers, quoting benefits and cost. He explained his position on hiring part time positions, when needed, and made suggestions on avoiding the cost of full time benefits by doing so. Mr. Schreiver stated it was what the City wanted, that we needed to do it, and a part time position was already in the budget. Discussion held, all agreed.

Summit Fire Apparatus- Mr. Rolfes gave an explanation for the request. Mr. Spears made a **motion** to approve the purchase of repairs to Engine 151 ladder rack for an electrical short from Summit Fire Apparatus at the cost of approximately \$300.00 because the item purchased was in the best interest of the public and the city due to location and availability; seconded by Mrs. Atkinson. **Motion passed – 6 ayes – 0 nays.**

Sanitation Collection – Mr. Henson received a complaint that garbage is being picked up at 6:00 AM on Saturday mornings; he requested a restriction be put on the contract that it not begin until 8 or 9:00AM. Mr. Rolfes agreed to pass it on.

ORDINANCES, MUNICIPAL ORDERS, AND RESOLUTIONS

Ordinance 2006-05-05 – Mr. Rolfes reported that he asked the county to research everybody who paid the minimum on the net profit tax, and that basically we were collecting just under \$12,000 (\$11,850) in this category. He wanted council to understand that, before proceeding with their discussion, the city could conceivably lose a good chunk of that if they chose to delete the minimum, and they might want to consider other options.

Mr. Schreiver asked if it could be tied to gross sales with some kind of number. Mr. Rolfes said that was an option. He explained that the 2015 committee would probably be recommending those on net profits tax to look at going to gross receipts to make document preparation easier and quicker.

Mr. Henson stated they had looked at this several years ago and his problem with it was the rate being proposed was not going to be revenue neutral. He felt it was O.K. as long as it was revenue neutral to the city. Mr. Spears felt it would not be neutral to the individuals who actually pay the tax. Mr. Steffen inquired as to how many businesses in Edgewood paid the taxes and pointed out that the majority affected is a very small number and it should be crafted to be fair to those impacted the most that are paying the lion's share. Mr. Rolfes suggested some kind of cap so everybody pays something but nobody pays more than a certain amount. Mr. Steffen shared concern over people not wanting to open a business here and questioned how to figure a cap at gross revenues.

Mr. Spears asked if they could continue to waive certain types of generated tax bills and do nothing to the ordinance. Mr. Wichmann replied criteria would have to be established when to waive or not. Mr. Spears asked if it would be easier to craft guidelines than to reconstruct the gross revenue tax. Mr. Rolfes suggest putting requirements in it so if a person wanted it waived they would have to file some type of formal request. Mr. Spears felt it would be easier to deal with the problem than change the whole tax code.

Mr. Henson wanted to be clear that he was just addressing Mr. Rolfes' point of the 2015 committee and not suggesting changing receipts. He said, speaking as a C.P.A, it would be a lot easier to have one method of calculation across the board.

Discussion was held concerning whether to eliminate the \$50 minimum, want the 2nd reading, or change it. Mr. Rolfes suggested it would be wise to have a provision in the ordinance with a clear-cut avenue spelled out that they could exercise if they so chose. Mr. Wichmann said he could craft some kind of an exception that authorized the City Administrator to exercise judgment and decide whether or not to waive a tax. Mr. Rolfes stated if council followed Mr. Wichmann's recommendation it would have to include fairly specific criteria that would have to be met so there would be no misunderstandings and still give an avenue that can be legally done.

Discussion was held concerning wording options and potential problems. Mr. Rolfes stated whatever they did, they wanted to be helpful rather than stinging anybody. Council decided that Mr. Wichman and Mr. Rolfes would work on the wording and report back at the next meeting.

Mr. Grady inquired about reducing the \$50 to \$25. Mr. Rolfes explained the lack of latitude on the revenue side of the budget, the need to guard it, the need to pay back the city and the other future expenses to address.

ANNOUNCEMENTS

The Water District will be hydrant flushing the week of May 15th.

Open House & Dedication of the new City building will be Saturday, May 20th 10a.m. – 4 p.m., starting with the ribbon cutting at 10.00 a.m.

Open House will also be held on Friday the 19th. Mayor Link will make a brief presentation at 5:00 p.m. and recognize council.

EXECUTIVE SESSION - Nancy Atkinson made a **motion** to enter into executive session at 7:32 p.m. per KRS 61.810 (C) proposed or pending litigation: seconded by Mr. Spears. **Motion passed: 6ayes - nays**

Mr. Spears made a **motion** to return to plenary session at 7:46 p.m.; seconded by Mr. Henson. **Motion passed: 6ayes –0 nays**

ADJOURNMENT

Mr. Steffen made a **motion** to adjourn at 7:47 p.m.; seconded by Mrs. Atkinson. **Motion passed: 6ayes – 0 nays.**

The attached budget presentations followed the meeting. Stan Goetz reported for General Services, and Chief Joe Messmer reported for the Fire Department.

Mayor John D. Link

Attest: _____
Mary Jane Lucas, Sr. Deputy Clerk

Date passed: _____